

Union Calendar No. 55

104TH CONGRESS
1ST SESSION

H. R. 1175

[Report No. 104-124]

A BILL

To amend Public Law 89-454 to provide for the
reauthorization of appropriations.

MAY 16, 1995

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1995

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

MAY 16, 1995

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[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend Public Law 89-454 to provide for the reauthorization of appropriations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Marine Resources Re-
5 ~~vitalization Act of 1995~~”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 212(a) of Public Law 89-454 is amended to
3 read as follows:

4 “(a) ~~IN GENERAL.~~—There is authorized to be appro-
5 priated to carry out sections 205 and 208 of this title such
6 sums as may be necessary for each of fiscal years 1996
7 through 2000.”.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Marine Resources Revi-*
10 *talization Act of 1995”.*

11 **SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE**
12 **PROGRAM ACT.**

13 *Except as otherwise expressly provided, whenever in*
14 *this Act an amendment or repeal is expressed in terms of*
15 *an amendment to, or repeal of, a section or other provision,*
16 *the reference shall be considered to be made to a section or*
17 *other provision of the National Sea Grant College Program*
18 *Act (33 U.S.C. 1121 et seq.).*

19 **SEC. 3. AMENDMENTS TO DEFINITIONS.**

20 (a) *FIELD RELATED TO OCEAN, COASTAL, AND GREAT*
21 *LAKES RESOURCES.*—Section 203(4) (33 U.S.C. 1122(4))
22 *is amended—*

23 (1) *by inserting “marine biotechnology,” after*
24 *“marine technology,”; and*

25 (2) *by inserting “shellfish disease studies,” after*
26 *“marine affairs and resource management,”.*

1 (b) *SEA GRANT INSTITUTION*.—Section 203 (33 U.S.C.
 2 1122) is amended by adding at the end the following new
 3 paragraph:

4 “(16) The term ‘sea grant institution’ means a
 5 sea grant college or a sea grant regional consortium.”.

6 **SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLAN-**
 7 **NING GUIDELINES AND PRIORITIES AND**
 8 **EVALUATION.**

9 Section 204(a) (33 U.S.C. 1123(a)) is amended in the
 10 last sentence by inserting after “The Secretary” the follow-
 11 ing: “; in consultation with the sea grant institutions and
 12 the panel established under section 209,”.

13 **SEC. 5. DUTIES OF DIRECTOR.**

14 Section 204(c) (33 U.S.C. 1123(c)) is amended to read
 15 as follows:

16 “(c) *DUTIES OF DIRECTOR*.—

17 “(1) *IN GENERAL*.—The Director shall admin-
 18 ister the National Sea Grant College Program subject
 19 to the supervision of the Secretary and the Under Sec-
 20 retary. In addition to any other duty prescribed by
 21 law or assigned by the Secretary, the Director shall—

22 “(A) advise the Under Secretary with re-
 23 spect to the expertise and capabilities which are
 24 available within or through the National Sea
 25 Grant College Program, and provide (as directed

1 *by the Under Secretary) those which are or could*
2 *be of use to other offices and activities within the*
3 *Administration;*

4 *“(B) encourage other Federal departments,*
5 *agencies, and instrumentalities to use and take*
6 *advantage of the expertise and capabilities which*
7 *are available through the National Sea Grant*
8 *College Program, on a cooperative or other basis;*

9 *“(C) encourage cooperation and coordina-*
10 *tion with other Federal programs concerned with*
11 *ocean, coastal, and Great Lakes resources con-*
12 *servation and usage;*

13 *“(D) advise the Secretary on the designa-*
14 *tion of sea grant institutions and, in appro-*
15 *priate cases, if any, on the termination or sus-*
16 *pension of any such designation;*

17 *“(E) encourage the formation and growth of*
18 *sea grant programs; and*

19 *“(F) oversee the operation of the National*
20 *Sea Grant Office established under subsection*
21 *(a).*

22 *“(2) DUTIES WITH RESPECT TO SEA GRANT IN-*
23 *STITUTIONS.—With respect to the sea grant institu-*
24 *tions, the Director shall—*

1 “(A) evaluate the programs of the institu-
 2 tions, using the guidelines and priorities estab-
 3 lished by the Secretary under subsection (a), to
 4 ensure that the objective set forth in section
 5 202(b) is achieved;

6 “(B) subject to the availability of appro-
 7 priations, allocate funding among the sea grant
 8 institutions so as to—

9 “(i) promote healthy competition
 10 among those institutions,

11 “(ii) promote achievement of the goals
 12 established by the institutions under sub-
 13 section (e), and

14 “(iii) to the maximum extent consist-
 15 ent with the other provisions of this sub-
 16 paragraph, provide a stable base of funding
 17 for the institutions; and

18 “(C) ensure compliance by the institutions
 19 with the guidelines for merit review published
 20 pursuant to section 207(b)(2).”.

21 **SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.**

22 Section 204 (33 U.S.C. 1123) is amended by adding
 23 at the end the following new subsection:

24 “(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—
 25 Subject to any regulations or guidelines promulgated by the

1 *Secretary, it shall be the responsibility of each sea grant*
 2 *institution to—*

3 “(1) *develop, in consultation with the Secretary*
 4 *and the panel established under section 209, goals for*
 5 *its program that are consistent with the guidelines*
 6 *and priorities developed under section 204(a);*

7 “(2) *conduct merit review of all applications for*
 8 *project grants or contracts to be awarded under sec-*
 9 *tion 205; and*

10 “(3) *demonstrate significant progress toward the*
 11 *goals established under this section.”.*

12 **SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.**

13 (a) *REPEAL.*—*Section 3 of the Sea Grant Program*
 14 *Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.*

15 (b) *CONFORMING AMENDMENT.*—*Section 209(b)(1) (33*
 16 *U.S.C. 1128(b)(1)) is amended by striking “and section 3*
 17 *of the Sea Grant Program Improvement Act of 1976”.*

18 **SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.**

19 *Section 207 (33 U.S.C. 1126) is amended to read as*
 20 *follows:*

21 **“SEC. 207. SEA GRANT COLLEGES AND SEA GRANT RE-**
 22 **GIONAL CONSORTIA.**

23 “(a) *DESIGNATION.*—*The Secretary may designate an*
 24 *institution of higher learning as a sea grant college, and*
 25 *an association or alliance of two or more persons as a sea*

1 *grant regional consortium, if the institution, association,*
2 *or alliance—*

3 “(1) *is maintaining a balanced program of re-*
4 *search, education, training, and advisory services in*
5 *fields related to ocean, coastal, and Great Lakes re-*
6 *sources and has received financial assistance under*
7 *section 205 of this Act or under section 204(c) of the*
8 *National Sea Grant College and Program Act of*
9 *1966;*

10 “(2) *will encourage and follow a regional ap-*
11 *proach to solving problems or meeting needs relating*
12 *to ocean, coastal, and Great Lakes resources, in co-*
13 *operation with appropriate sea grant colleges, sea*
14 *grant programs, and other persons in the region;*

15 “(3) *will act in accordance with such guidelines*
16 *as are prescribed under subsection (b)(2); and*

17 “(4) *meets such other qualifications as the Sec-*
18 *retary considers necessary or appropriate.*

19 “(b) *REGULATIONS AND GUIDELINES.—*

20 “(1) *IN GENERAL.—The Secretary shall by regu-*
21 *lation prescribe the qualifications required to be met*
22 *under subsection (a)(4).*

23 “(2) *MERIT REVIEW.—Within 6 months of the*
24 *date of enactment of the Marine Resources Revitaliza-*
25 *tion Act of 1995, the Secretary, after consultation*

1 with the sea grant institutions, shall publish in the
 2 Federal Register guidelines for the conduct of merit
 3 review by the sea grant institutions of applications
 4 for project grants and contracts to be awarded under
 5 section 205. The guidelines shall, at a minimum, pro-
 6 vide for mail review of all applications for grants or
 7 contracts and require standardized documentation of
 8 all peer review.”.

9 **SEC. 9. REPEAL OF POSTDOCTORAL FELLOWSHIP PRO-**
 10 **GRAM.**

11 Section 208(c) (33 U.S.C. 1127(c)) is repealed.

12 **SEC. 10. AMENDMENTS RELATING TO SEA GRANT REVIEW**
 13 **PANEL.**

14 Section 209 (33 U.S.C. 1128) is amended—

15 (1) in subsection (a) by striking the second sen-
 16 tence; and

17 (2) in subsection (c)(6) by striking “a biannual”
 18 and inserting “an annual”.

19 **SEC. 11. AUTHORIZATIONS OF APPROPRIATIONS.**

20 (a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Sec-
 21 tion 212(a) (33 U.S.C. 1131(a)) is amended to read as fol-
 22 lows:

23 “(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—There
 24 is authorized to be appropriated to carry out sections 205
 25 and 208—

1 “(1) \$50,600,000 for fiscal year 1996;

2 “(2) \$52,500,000 for fiscal year 1997; and

3 “(3) \$54,500,000 for fiscal year 1998.”.

4 (b) ADMINISTRATION.—Section 212(b) (33 U.S.C.
5 1131(b)) is amended—

6 (1) by striking so much as precedes paragraph

7 (2) and inserting the following:

8 “(b) ADMINISTRATION.—

9 “(1) AUTHORIZATION.—There is authorized to be
10 appropriated for administration of this Act, includ-
11 ing section 209, by the National Sea Grant Office and
12 the Administration—

13 “(A) \$2,700,000 for fiscal year 1996;

14 “(B) \$2,000,000 for fiscal year 1997; and

15 “(C) \$1,500,000 for fiscal year 1998.”;

16 (2) in paragraph (2)—

17 (A) by striking “subsections (a) and (c)”
18 and inserting “subsection (a)”; and

19 (B) by striking “(2)” and inserting “(2)

20 LIMITATION ON USE OF OTHER AMOUNTS.—”;

21 and

22 (3) by moving paragraph (2) 2 ems to the right,
23 so that the left margin of paragraph (2) is aligned
24 with the left margin of paragraph (1), as amended by
25 paragraph (1) of this subsection.

1 (c) *REPEAL.*—Section 212 (33 U.S.C. 1131) is amend-
 2 ed by repealing subsection (c) and redesignating subsections
 3 (d) and (e) in order as subsections (c) and (d).

4 **SEC. 12. CLERICAL AND CONFORMING AMENDMENTS.**

5 (a) *CLERICAL AMENDMENT.*—Section 209, as amended
 6 by section 10(1) of this Act, (33 U.S.C. 1128(b)) is amended
 7 by striking all of the matter that follows the first full sen-
 8 tence through “shall advise”, and inserting “(b) *DUTIES.*—
 9 The panel shall advise”.

10 (b) *CONFORMING AMENDMENTS.*—

11 (1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is
 12 amended by striking “maximum rate for GS-18” and
 13 all that follows through the end of the sentence and
 14 inserting “maximum rate payable under section 5376
 15 of title 5, United States Code.”.

16 (2) Section 209(c)(5)(A) (33 U.S.C.
 17 1128(c)(5)(A)) is amended by striking “the daily rate
 18 for GS-18 of the General Schedule under section 5332
 19 of title 5, United States Code” and inserting “the
 20 maximum daily rate payable under section 5376 of
 21 title 5, United States Code”.

22 (3) Section 209 (33 U.S.C. 1128) is amended—
 23 (A) in subsection (b)(3) by striking “colleges
 24 and sea grant regional consortia” and inserting
 25 “institutions”; and

- 1 *(B) in subsection (c)(1) in the last sentence*
- 2 *in clause (A) by striking “college, sea grant re-*
- 3 *gional consortium,” and inserting “institution”.*